

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
Baltimore Division**

IN RE:

TAWANNA GREEN

Debtor

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Case No.: 06-14881-NVA

Chapter 13

TRUSTEE'S MOTION TO MODIFY CHAPTER 13 PLAN

Gerard R. Vetter, Chapter 13 Trustee in the above-captioned case (the "Trustee"), pursuant to Section 1329 of the Bankruptcy Code and Bankruptcy Rule 3015(g), requests the Court to modify the Chapter 13 Plan that has been confirmed in this case. In support of his request, the Trustee respectfully represents the following:

1. The Debtor commenced this case under Chapter 13 on August 15, 2006 and the Debtor first filed a Chapter 13 Plan on September 12, 2006. An Amended Plan (the "Plan") was filed on October 17, 2006. The Plan was confirmed by Order entered on January 12, 2007 (the "Confirmation Order"). The Plan states that the Debtor will pay the Trustee \$409.00 for the first two (2) months, and \$577.00 on or before the 15th day of each month, for the remaining fifty-eight (58) months of a sixty (60) month plan. The Confirmation Order directs the Debtor to provide to the Trustee a copy of each federal income tax return, and any amendment, at the same time it is filed with the taxing authority while the case is pending.

2. As required by the Confirmation Order, the Debtor has provided the Trustee with a copy of the Debtor's 2008 federal income tax return. The Debtor's 2008 federal income tax return indicates that the Debtor's adjusted gross income for 2008 was \$84,452.00, which is an increase of approximately 77% from the Debtor's adjusted gross income of \$47,560.00 shown on her 2006 federal income tax return.

3. Accordingly, because of the aforementioned change in the Debtor's financial circumstances, the Trustee requests that the Plan payments for the remaining 17 months of the Plan be increased by 77% from \$577.00 to \$1,021.29 to account for the Debtor's increase in income, beginning with the payment due on August 15, 2009. *See In re Arnold*, 869 F.2d 240 (4th Cir. 1989). This change in the Plan requires an increase in the Chapter 13 Plan Base from \$34,284.00 to \$41,836.93. These adjustments will increase the plan base by a total of \$7,552.93 to be paid over the last seventeen (17) months. The modified plan base will be \$41,836.93.

WHEREFORE, the Trustee prays that the Court modify the monthly payments from \$577.00 to \$1,021.29 for the remaining seventeen (17) months of the sixty (60) month term.

/s/ Gerard R. Vetter
Gerard R. Vetter
Chapter 13 Trustee
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Baltimore, MD, 21201
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PLEASE TAKE NOTICE that parties in interest have the right to object to the requested modification within twenty (20) days of the date of service of this motion.

CERTIFICATE OF SERVICE

I hereby certify that on August 25, 2009, to the extent that the following persons were not served electronically via the CM/ECF system, I caused a copy of the paper above referenced to be sent, by First Class U.S. Mail, postage prepaid to:

Tawanna R. Green
270 Brock Bridge Rd.
Laurel, MD 20724-2216
Debtor

/s/ Gerard R. Vetter
Gerard R. Vetter